

The 23rd Annual Real Property Retreat

Borders & Boundaries: Real Estate 2004

April 23-25, 2004

**LaCosta Resort & Spa
Carlsbad**

Register Online at www.calbar.ca.gov/rpsection

Dates To Remember:

March 31: Hotel Reservation Deadline

April 6: Early Registration Deadline
(Special Discounted Rate)

April 16: Pre-Registration Deadline

Network and share ideas with Real Estate Professionals from around the state.

Earn up to 12.75 Hours MCLE Credit which includes 1.00 MCLE Hour Credit in the Prevention of Substance Abuse.

SPONSORS



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Investment Property
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Presented By:

The Real Property Law Section

STATE BAR OF CALIFORNIA

Real Property Law Retreat Schedule of Events

FRIDAY, APRIL 23, 2004

1:30 – 2:30 p.m.

- (1) **Coping with the Challenge of Substance Abuse in Modern Law Practices** (1.00 Hour MCLE Credit in the Prevention of Substance Abuse)
Speaker: James Wagstaff, Kerr & Wagstaff (San Francisco)

1:30 – 3:00 p.m.

- (2) **Concurrent Sessions (1.50 Hours MCLE Credit)**
Not So Fine Print: A Look at the Fine Print From Transactional and Litigation Perspectives
Who Should Attend: Attorneys interested in issues and best practices in the use of fine print at the end of contracts, from both transactional and litigation perspectives.
Speakers: Matthew C. Fragner, Fragner Law Corporation (Los Angeles)
Alice A. Seebach, Seebach & Seebach (Los Angeles)

(3)

- Infill Housing: Challenges and Opportunities of Smart Growth**
Who Should Attend: Practitioners (not land use specialists) seeking to understand the issues, challenges and opportunities involved in the smart growth and infill development movements.
Speakers: Jonathan Curtis, Sheppard Mullin Richter & Hampton LLP (Los Angeles)
Cecilia Estalono, Assistant City Attorney (Land Use Division) (Los Angeles)
Javier Mariscal, AICP, John Laing Homes (Van Nuys)

3:15 – 4:45 p.m.

- (4) **Concurrent Sessions (1.50 Hours MCLE Credit)**
The Fastest 90 Minutes in Real Estate: A Quick Overview of Recent Developments in California Law
Who Should Attend: The general real estate practitioner.
Speaker: Robert J. Bruss, (Burlingame)

(5)

- Exchanging Places: Advanced Issues in 1031 Exchanges**
Who Should Attend: The attorney who, while not a tax specialist, needs to be aware of how recent developments in 1031 exchanges may impact the structuring of real estate transactions.
Speakers: Marion A. Aaron, OREXCO Old Republic Exchange Facilitator Co. (San Francisco)
Mary Kay Kennedy, First American Exchange Company (San Jose)

(6)

- Staying Out of Court: Drafting and Enforcing ADR Provisions**
Who Should Attend: Transactional and litigation attorneys whose clients want to resolve their disputes out of court.
Speakers: Hon. John A. Flaherty (Ret.), JAMS (San Jose)
Michael D. McSweeney, Hoge, Fenton, Jones & Appel, Inc. (San Jose)
Lewis J. Soffer, Miller Starr & Regalia (Menlo Park)

5:00 – 6:30 p.m.

- Wine Tasting Reception - Hosted by Hoge, Fenton, Jones & Appel, Inc.

6:30 – 8:30 p.m.

- Poolside Family Barbecue - Sponsored by OREXCO

8:30 p.m.

- Section Leadership and Leadership Opportunities Party

SATURDAY, APRIL 24, 2004

7:30 – 8:00 a.m.

- Continental Breakfast

8:00 – 9:15 a.m.

- (7) **Concurrent Sessions (1.25 Hours MCLE Credit)**
Bound by the DRE: The Basics of Subdivision Sales
Who Should Attend: Practitioners with little or no experience in the subdivision sales process who are interested in learning the "how to's."
Speakers: Robert Gilmore, California Department of Real Estate (Los Angeles)
A. John Hecht, Hecht, Solberg, Robinson, Goldberg & Bagley LLP (San Diego)
Nancy T. Scull, Luce, Forward, Hamilton & Scripps LLP (San Diego)

Real Property Law Retreat Schedule of Events

- (8) **Hitting the Jackpot: The Practice and Politics of Siting and Developing Indian Gaming Casinos**
Who Should Attend: *Experienced real estate attorneys with little knowledge of Indian lands and negotiations with tribes.*
Speakers: **Howard L. Dickstein**, Dickstein & Zerbi (Sacramento)
Tom F. Gede, Executive Director, Conference of Western Attorneys General (Sacramento)
Peter Siggins, Legal Affairs Secretary to Governor Schwarzenegger (Sacramento)
- (9) **Bound and Determined: Damages in Real Property Transactions - How to Get Them, How to Avoid Them**
Who Should Attend: *Transactional and litigation lawyers who are interested in the availability and restrictions of remedies in common real estate disputes.*
Speakers: **Laura Lee Blake**, Connor, Blake & Griffin, LLP (Irvine)
William L. Caldarelli, Mazzarella, Dunwoody & Caldarelli, LLP (San Diego)
Hon. James L. Warren, San Francisco Superior Court (San Francisco)
- 9:30 – 11:00 a.m.
 (10) **Concurrent Sessions (1.50 Hours MCLE Credit)**
The Professors' Roundtable: An In Depth Look at the Year's Most Important Developments in Real Estate Law
Who Should Attend: *Real estate practitioners seeking an in depth understanding of the year's most important developments.*
Speakers: **Prof. Craig Arnold**, Chapman University School of Law (Orange)
Prof. Roger Bernhardt, Golden Gate University School of Law (San Francisco)
Prof. Patrick Randolph, University of Missouri, Kansas City School of Law (Kansas City)
Prof. Florrie Roberts, Loyola Law School (Los Angeles)
- (11) **Bound by Your Imagination: Advanced Topics in Subdivision Sales**
Who Should Attend: *Practitioners who are experienced in the subdivision sales process (or who attended the basics course from an hour earlier) who would like to learn tips and traps and emerging issues relating to DRE-governed subdivision sales.*
Speakers: **Robert Gilmore**, California Department of Real Estate (Los Angeles)
A. John Hecht, Hecht, Solberg, Robinson, Goldberg & Bagley LLP (San Diego)
Nancy T. Scull, Luce, Forward, Hamilton & Scripps LLP (San Diego)
- 11:15 a.m. – 12:30
 (12) **Keynote Speaker (1.25 Hours MCLE Credit)**
Finding the Constants In the Ever Changing World of California Real Estate
Speaker: **Marvin B. Starr**, Miller, Starr & Regalia (Walnut Creek)
- 12:30 – 1:30 p.m. **Lunch**
- 1:45 – 3:15 p.m.
 (13) **Concurrent Sessions (1.50 Hours MCLE Credit)**
Crossing the Border: U.S./Mexico Real Estate Transactions
Who Should Attend: *Real estate practitioners interested in learning how to represent U.S. clients investing in real estate opportunities in Mexico.*
Speakers: **Dena Cruz**, First American Title (Oakland)
Peter A. Gelles, (Los Angeles)
John B. McNeece III, Luce, Forward, Hamilton & Scripps LLP (San Diego)
- (14) **Bound by Available Insurance: Developing Residential Projects in Today's World**
Who Should Attend: *Practitioners who represent clients in developing, constructing or financing apartment, condominium and single family home projects.*
Speakers: **Scott Bedingfield**, Cavignac & Associates (San Diego)
Paul Bryan, DBH Resources, Inc. (Los Angeles)
Andrew McCloskey, Duane Morris LLP (San Diego)
- (15) **The Redevelopment Toolbox: The Polanco Act and Eminent Domain**
Who Should Attend: *Attorneys generally familiar with Brownfields who desire an up to date understanding of how the Polanco Act and related strategies are being used.*
Speakers: **Nargis Choudhry**, Union Oil Company of California (Brea)
Richard R. Freeland, Asaro, Keagy, Freeland & McKinley (San Diego)
Richard G. Opper, Opper & Varco LLP (San Diego)



Marvin B. Starr
 Miller, Starr & Regalia



Real Property Law Retreat Schedule of Events

3:30 – 5:00 pm.
(16)

Concurrent Sessions (1.50 Hours MCLE Credit)

Dirt Wars: You've Crossed the Line

Who Should Attend: *Real estate attorneys who desire a general overview of common boundary disputes and methods for their resolution.*

Speakers: **Richard G. Carlston**, Miller, Starr & Regalia (Walnut Creek)
Laura Lowe, LandAmerica Financial Group, Inc. (San Francisco)
Ray Mansur, The Keith Companies, Inc. (Irvine)

(17)

Military Base Reuse Redux: Mission Accomplished?

Who Should Attend: *The general real estate practitioner with occasional matters involving redeveloping military bases.*

Speakers: **Michael A. Kvarme**, Weintraub Genshlea Chediak Sproul (Sacramento)
Sonia J. Ransom, Allen Matkins Leck Gamble & Mallory LLP (Los Angeles)

(18)

Proposition 13 and other Real Property Tax Issues

Who Should Attend: *Transactional real estate attorneys with no more than an introductory understanding of California real property taxation.*

Speakers: **Kristine E. Cazadd**, California State Board of Equalization (Sacramento)
Layton L. Pace, Ervin, Cohen & Jessup LLP (Beverly Hills)

7:00 pm.

Reception and Dinner at Legendary La Costa (separate ticketed event)

This event is anticipated to sell out, don't wait to order your tickets.

Sponsored by Chicago Deferred Exchange Corporation.



SUNDAY, APRIL 25, 2004

8:00 – 9:00 a.m.

Continental Breakfast

9:00 – 10:00 a.m.

(19)

Coping with the Challenge of Substance Abuse in Modern Law Practices (1.00 Hour MCLE Credit in the Prevention of Substance Abuse)

(Video tape playback of Friday's program)

9:00 – 10:15 a.m.

(20)

Update on the New C.A.R. Forms and Related Laws: Big Changes in the Wind (1.25 Hours MCLE Credit)

Who Should Attend: *Attorneys who wish to remain up to date on the C.A.R. forms and key laws affecting residential real estate transactions.*

Speakers: **Llewellyn P. Chin**, California Association of Realtors (Los Angeles)
Paul J. Weinberg, Law Offices of Paul J. Weinberg—Private Mediation Services (Irvine)

10:30 a.m. – 12:00 noon

(21)

Concurrent Sessions (1.50 Hours MCLE Credit)

Out of Bounds or in the Fairway? Disclosure Obligations in Real Estate Transactions

Who Should Attend: *Lawyers of all experience levels who counsel buyers, sellers, landlords, tenants or brokers in the sale or lease of real property or in the resolution of disputes arising from such transactions.*

Speakers: **Randall I. Barkan**, Realdispute Consulting & Expert Witness Services (Pacific Grove)
William H. G. Norman, Cooper, White & Cooper LLP (San Francisco)
John H. O'Reilly, Law Offices of John H. O'Reilly (San Francisco)

(22)

Mixing It Up: Understanding the Key Legal & Practical Issues of Mixed Use Developments

Who Should Attend: *Real estate practitioners with some knowledge of California land use law and leasing concepts.*

Speakers: **Stephen K. Cassidy**, Cassidy, Shimko & Dawson (San Francisco)
Michael DiGeronimo, Miller, Starr & Regalia (Walnut Creek)

Social Events

FRIDAY, APRIL 23, 2004

5:00 – 6:30 p.m.—Wine Tasting Reception

Hosted by Hoge, Fenton, Jones & Appel Inc.



6:30 p.m.—Poolside Family BBQ \$55.

Spouses and guest tickets are \$55. Full 3-day Retreat registrants and children 10 and under are free. Sponsored by OREXCO.



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8:30 a.m. – 11:00 p.m.—Section Leadership and Leadership Opportunities Party

Aspiring, alumni and current executive committee members, subsection chairs and Journal editors are invited for dessert, coffee and conversation. Open to all registrants and their guests.

SATURDAY, APRIL 24, 2004

12:30 – 5:30 p.m.—Golf Tournament \$165

Players meet at the LaCosta Resort & Spa Golf Club at 12:30 p.m. The cost of \$165 per person includes a box lunch, green fee, carts, scoring, prizes, and refreshments. Prizes will be given for low gross score, low net score, longest drive and closets to the pin. Winner's names will be posted on Sunday morning and prizes may be picked up in the registration area. Please note: A minimum number of players must register for this event to occur.

2:00 – 4:00 p.m.—Round Robin Tennis Tournament \$40

Players meet at the tennis courts at 1:45 p.m. The cost of \$40 per player includes court fees, prizes, pro fees, scoring and refreshments. Prizes will be awarded immediately after the tournament. Please note: A minimum number of players must register for this event to occur.



Dinner at *Legendary La Costa*

Reception 7:00 p.m.; Dinner 8:00 p.m. \$60

This evening is reminiscent of the legendary days of La Costa—the days when the “Rat Pack” and other stars frequented La Costa... its colorful past of mob related activity ... This 50's and 60's-style evening sipping martinis ... butler passed hors d'oeuvres ... a pianist playing the classic tunes of Frank Sinatra and other artists ... exquisite cuisine ... and try your luck on the gaming tables! It will be an evening of smooth sophistication.



Sponsored by:



Retreat Registration—Airline & Ground Transportation Information

Retreat Registration and Deadline: Your registration must be received no later than April 6th to receive the discount rate. Return the registration form to: PROGRAM REGISTRATIONS, STATE BAR OF CALIFORNIA, 180 HOWARD STREET, SAN FRANCISCO, CA 94105-1639. You may fax your registration form, along with your credit card information, to 415.538.2368. Special Saturday Only Registration: \$195

Register Online At: www.calbar.ca.gov/rpsection

Special Assistance: For Special Assistance, please call 415.538.2393 or TDD 415.538.2231 for speech and hearing impaired.

Cancellations: A refund less a non-refundable fee of \$50 will be made for all cancellations received in writing by April 16, 2004. No refunds will be made

for cancellations after April 16, 2004. All requests for refunds must be submitted in writing.

Airline Reservations: The State Bar of California has a discount program with United Airlines. The discounts are 10% off unrestricted full coach fares and 5% off any published (often restricted) fares. To make reservations, or for additional information, please call the United Group Meeting Desk at 800.521.4041 and refer to number 550QX.

Airport Transportation: Express and Cloud 9 shuttle services provides airport transfers to and from San Diego International Airport. Both shuttle services are available at the San Diego International Airport. Reservations returning to the San Diego International Airport must be made by calling the following preferred shuttle service. Express Shuttle: 800.900.7433 and Cloud 9: 800.974.8885.

For additional information: Call Program Registrations for registration assistance at 415. 538.2508 and call Theresa Raglen at 415.538.2393 for





Hotel Reservations

The legendary **La Costa Resort & Spa**, newly renovated at a cost of \$140-million, is a not-to-be-missed experience. The Resort sits on 400 rolling acres in the coastal foothills of north San Diego, 30 minutes from San Diego. The new Spa at La Costa will have 42 treatment rooms, including two VIP suites for couples, and many amenities both indoors and out.

Enjoy playing in this year's golf tournament at La Costa. The only resort in Southern California with two tournament-caliber golf courses, La Costa is the site of the World Golf Championships. If golf is not your game, play in the tennis tournament we offer at its tennis center, which is the home of the Acura Classic Tournament or relax at the all new spa.

The newly remodeled accommodations overlook the resort's well-manicured grounds and/or golf course. Rich wood, plush fabrics and leather accents create a warm, sophisticated ambience. Bathrooms are especially large and designed with imported marble. Real Property Retreat attendees receive a special reduced rate of \$235 single or double occupancy.

To make your room reservation please call La Costa Resort & Spa directly at 800.854.5000. Room reservations received after March 31, 2004 will be placed on a space and rate-available basis only. **RESERVE EARLY! Please identify yourself as part of the State Bar of California Real Property Retreat to obtain the special rate of \$235.** Preference will be given to full 3-day registrants.

La Costa Resort & Spa is located at 2100 Costa Del Mar Road, Carlsbad, California 92009 Tele: 760.931.7570. For further information about the Resort you may visit their website at www.lacosta.com.



Name: _____ Bar Number: _____

Address: _____ Email: _____

City, State Zip: _____ Phone: _____

Fax: _____

Badge Information

First Name or Nickname (as you wish it to appear on your badge) _____
(limited to 20 characters including spaces)

Firm Name: _____ Firm size: _____ Main Practice Area: _____

Non-Attorney Spouse/Guest Name: _____

EDUCATION SESSIONS: Please indicate which sessions you will attend.

Friday, April 23, 2004 - 1:30 – 2:30 p.m. (1.00 Hour MCLE Credit in the Prevention of Substance Abuse)

- ☐ (1) Coping with the Challenge of Substance Abuse in Modern Law Practices

Friday, April 23, 2004 - 1:30 – 3:00 p.m. (1.50 Hours MCLE Credit)

- ☐ (2) Not So Fine Print: A Look at the Fine Print From Transactional and Litigation Perspectives
- ☐ (3) Infill Housing: Challenges & Opportunities of Smart Growth

Friday, April 23, 2004 - 3:15 – 4:45 p.m. (1.50 Hours MCLE Credit)

- ☐ (4) The Fastest 90 Minutes in Real Estate: A Quick Overview of Recent Developments in California Law
- ☐ (5) Exchanging Places: Advanced Issues in 1031 Exchanges
- ☐ (6) Staying Out of Court: Drafting and Enforcing ADR Provisions

Saturday, April 24, 2004 - 8:00 – 9:15 p.m. (1.25 Hours MCLE Credit)

- ☐ (7) Bound by the DRE: The Basics of Subdivision Sales
- ☐ (8) Hitting the Jackpot: The Practice and Politics of Siting & Developing Indian Gaming Casinos
- ☐ (9) Bound & Determined: Damages in Real Property Transactions - How to Get Them, How to Avoid Them

Saturday, April 24, 2004 - 9:30 – 11:00 a.m. (1.50 Hours MCLE Credit)

- ☐ (10) Professor's Roundtable: An In Depth Look at the Year's Most Important Developments in Real Estate Law
- ☐ (11) Bound by Your Imagination: Advanced Topics in Subdivision Sales

Saturday, April 24, 2004 - 11:15 – 12:30 p.m.—Keynote Panel (1.25 Hours MCLE Credit)

- ☐ (12) Finding the Constants in the Ever Changing World of California Real Estate

Saturday, April 24, 2004 - 1:45 – 3:15 p.m. (1.50 Hours MCLE Credit)

- ☐ (13) Crossing the Border: U.S./Mexico Real Estate Transactions
- ☐ (14) Bound by Available Insurance: Developing Residential Projects in Today's World
- ☐ (15) The Redevelopment Toolbox: The Polanco Act and Eminent Domain

Saturday, April 24, 2004 - 3:30 – 5:00 p.m. (1.50 Hours MCLE Credit)

- ☐ (16) Dirt Wars: You've Crossed the Line
- ☐ (17) Military Base Reuse Redux: Mission Accomplished?
- ☐ (18) Proposition 13 and other Real Property Tax Issues.

Sunday, April 25, 2004 - 9:00 – 10:00 a.m. (1.00 Hour MCLE Credit in the Prevention of Substance Abuse)

- ☐ (19) Substance Abuse Program (video tape playback of Friday's program)

Sunday, April 25, 2004 - 9:00 – 10:15 a.m. (1.25 Hours MCLE Credit)

- ☐ (20) Update on the New C.A.R. Forms & Related Laws: Big Changes in the Wind

Sunday, April 25, 2004 - 10:30 – 12:00 (1.50 Hours MCLE Credit)

- ☐ (21) Out of Bounds or in the Fairway? Disclosure Obligations in Real Estate Transactions
- ☐ (22) Mixing It Up: Understanding the Key Legal & Practical Issues of Mixed Use Developments

☐ Your name may be released to other Retreat attendees.

☐ I will need Vegetarian Meals
(and/or have dietary needs or restrictions)

TICKETED EVENTS:

23) Friday Family Dinner (free for 3-day registrants & their children 10 and under) ☐ I will attend FREE

24) Number of children (10 and under) for the Friday Dinner _____ FREE

25) Number of spouse/guests for Friday Dinner _____ x \$55 = \$_____

26) Friday Section Leadership and Leadership Opportunities Party (free for 3-day registrants) ☐ I will attend FREE

27) Saturday Continental Breakfast (free for 3-day and Saturday-only registrants) ☐ I will attend FREE

28) Saturday Buffet Lunch (free for 3-day registrants & their children 10 and under) ☐ I will attend FREE

29) Number of children (10 & under) for the Saturday Buffet Lunch _____ FREE

30) Number of spouse/guests for the Saturday Buffet Lunch _____ x \$35 = \$_____

31) Saturday Golf Tournament Number of Tickets _____ x \$165 = \$_____

Handicap Index: _____

Partner Handicap Index: _____

32) Round Robin Tennis Tournament Number of Tickets _____ x \$40 = \$_____

Note: You may not necessarily play golf or tennis with the person with whom you sign-up.

33) Saturday Legendary Night Dinner (Adults Only) Number of Tickets _____ x \$60 = \$_____

Subtotal from above ticket fees \$_____

Subtotal from Registration fees \$_____

Total amount enclosed or to be charged: \$_____

Registration Information: 415.538.2508

QUESTIONS: 415.538.2508

DEADLINE: Your registration must be received no later than April 16, 2004 (or April 6 for reduced rate registration)

MAIL TO: Program Registrations, State Bar of California, 180 Howard Street, San Francisco, CA 94105-1639; **OR**

FAX TO: (415) 538-2368 (Credit Card registrations only. Do not mail original form if you fax); **OR**

REGISTER ONLINE AT: www.calbar.ca.gov/rpsection

REGISTRATION FEES	Until April 6	After April 6	Total Cost
Section Member	\$395	\$420	\$_____
Non-Member	\$450	\$475	\$_____
(includes 2004 Real Property Law Section membership)			
Public Non-Profit Entity			
Attorney, Government			
Attorney, Full-Time Law			
Student or Professor			
(w/ copy of school ID)	\$315	\$340	\$_____
Saturday Only	\$195	\$195	\$_____

(Your full 3-day registration fee includes Education Sessions, Program Materials, Friday Dinner, Leadership Party, Saturday Continental Breakfast and Lunch and Sunday Continental Breakfast)

PAYMENT: You may pay by check, VISA or MasterCard. Registrations will be accepted by fax only when accompanied by credit card information.

I authorize the State Bar of California to charge my Retreat Registration to my VISA/MasterCard account (No other credit cards will be accepted.)

Account Number: _____

Expiration Date: _____

Cardholder's Name: _____

Cardholder's Signature: _____

STATE BAR EDUCATION FOUNDATION
Real Property Law Section
180 Howard Street
San Francisco, CA 94105-1639

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Borders & Boundaries: Real Estate 2004

April 23–25, 2004
LaCosta Resort & Spa
Carlsbad

- Only \$395 for Section Members
- Public Non-Profit Entity Attorney; Government Attorney; Full-Time Law Student or Professor \$315
- Special Saturday-only registration fee of \$195

3-day registration fee includes Education Sessions, Program Materials, Friday Reception, Dinner and Section Leadership Party, Saturday Breakfast and Luncheon and Sunday Continental Breakfast.

Register Online at www.calbar.ca.gov/rpsection